

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

PATRICK ALLEN CLARK

PLAINTIFF

v.

Civil No. 15-5059

NURSE RHONDA, Head Nurse;
and DEPUTY WINDGATE

DEFENDANTS

REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE

Plaintiff filed this civil rights case pursuant to 42 U.S.C. § 1983 on March 3, 2015. He proceeds *pro se*.

By order (Doc. 3) entered on March 3, 2015, the Plaintiff was given until March 13, 2015, to complete and return an *in forma pauperis* (IFP) application to this Court for review and filing or pay the \$350 filing fee and \$50 administrative fee, a total of \$400. Plaintiff was advised that if he failed to return the completed IFP application or pay the \$400 by March 13, 2015, the complaint would become subject to summary dismissal for failure to obey an order of the Court. Additionally, Plaintiff was directed to provide the Court with the last name of Nurse Rhonda by March 13, 2015.

On April 10, 2015, a show cause order (Doc. 6) was entered. Plaintiff was given until April 30, 2015, to show cause why this case should not be dismissed based on his failure to obey the order of the Court and his failure to prosecute this action. Plaintiff was advised that if he failed to respond to this order this case would be dismissed.

To date, Plaintiff has not filed a complete IFP, paid the filing fee, or provided the Court with Nurse Rhonda's last name. He did not respond to the show cause order. The order was not returned as undeliverable. I therefore recommend that this case be dismissed without prejudice

based on the Plaintiff's failure to obey an order of the Court and his failure to prosecute this action.
Fed. R. Civ. P. 41(b).

The Plaintiff has fourteen (14) days from receipt of the report and recommendation in which to file written objections pursuant to 28 U.S.C. § 636(b)(1). The failure to file timely objections may result in waiver of the right to appeal questions of fact. The Plaintiff is reminded that objections must be both timely and specific to trigger de novo review by the district court.

DATED this 14th day of May 2015.

/s/ *J. Marschewski*

HON. JAMES R. MARSCHEWSKI
UNITED STATES MAGISTRATE JUDGE